

E-filing

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11

FILED

OCT 23 2006

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
14

15 UNITED STATES OF AMERICA,
16 Plaintiff,

17 v.

18 CHARLES W. McCALL and JAY LAPINE,
19 Defendants.
20

Case No. CR-00-0505-MJJ

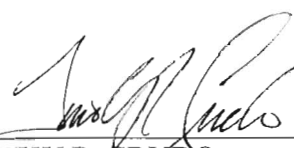
STIPULATION #9
REGARDING MCKESSONHBOC'S
APRIL 26, 1999 AUDIT COMMITTEE
MEETING

21 The parties hereby stipulate, for purposes of the trial of this action, that the following
22 facts are conclusively established beyond a reasonable doubt and therefore are not in dispute:

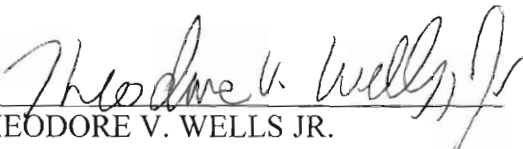
23 Mr. Lapine was not present at the ~~August~~ ^{April} 26, 1999 Audit Committee meeting.
24

25 IT IS SO STIPULATED.
26

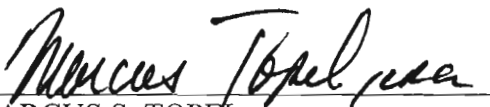
27 DATED: 10.23.06
28


TIMOTHY P. CRUDO
BRIAN J. STRETCH
Assistant United States Attorneys

1
2 DATED: _____


THEODORE V. WELLS JR.
Counsel for Mr. McCall

3
4
5 DATED: 10-23-06


MARCUS S. TOPEL
Counsel for Mr. Lapine